

BARSTOW & CO. NOW UNDER SINGLE OWNERSHIP

Frank H. Smith Will Continue Business, Buying Out George S. Byles.

With today, through the dissolution of the partnership of Frank H. Smith and George S. Byles, the 62-year-old business house of J. P. Barstow & Co. comes under a single ownership, as Mr. Smith has bought out the interest of his partner, Mr. Byles. With the long life of the concern has gone al-



FRANK H. SMITH.

ways a widely circulated reputation for reliability and trustworthiness throughout eastern Connecticut. The firm name will be continued. In 1846 this business in stores, tinware, farm implements and seeds was started at the Water street store by the late John P. Barstow, one of the best known citizens of Norwich for many years. Mr. Smith entered Mr. Barstow's employ in 1871. Mr. Byles entering in 1873. In 1876 the firm of John P. Barstow & Co. was formed, consisting of Messrs. Barstow, Smith and Byles. This partnership continued



GEORGE S. BYLES.

until the death of Mr. Barstow in 1893, when it was succeeded by the firm of J. P. Barstow & Co., the partners from that time to this being Frank H. Smith and George S. Byles.

For the future Mr. Byles at present has no definite plans decided upon, but for a while, at least, he will be at the store.

Under the direction of the new individual owner, who has long been regarded as one of the most progressive business men of the town, this big business along its original lines, to which have been added large plumbing and heating contracts, can be depended upon to be continued with modern methods, which today have brought it to the point where it has the largest amount of contract work on hand in its history.

DECISION ON LEASE

IS AGAINST DR. DUNN

Jury Decides It Invalid—Dr. Greaves Had No Authority to Give Lease.

The Manwaring Hospital association was victor in the second stage of its legal controversy with Dr. Frank M. Dunn yesterday, when the jury in the summary process court rendered a verdict in favor of the hospital association. The jury in its verdict declared the three year lease, which is the basis of the dispute, invalid, declared possession of premises by hospital association and gave judgment for plaintiff to recover costs. Justice Charles E. Hickey, who presided over the proceedings in New London, has set Thursday afternoon at 2 o'clock for hearing attorneys Perkins and Shields counsel for Dr. Dunn. It is within the province of the justice to order the defendant put out of premises at once in a summary process proceeding, but Justice Hickey delays his order pending hearing of counsel for Dr. Dunn.

It is expected that a writ of error will be filed by counsel for Dr. Dunn. It was supposed by laymen that there was an appeal from a summary process judgment to the supreme court, but there is no appeal. Otherwise a summary process proceeding would have no value, as appeal could be taken, resulting in many months' delay.

A writ of error must be based on error of the presiding justice or error on part of jurors in returning a verdict at variance with the evidence and with the law.

Hull, McGuire & Hull, counsel for the hospital, will move to have Dr. Dunn set out of the premises at once.

The hearing on the summary process motion was begun last Thursday. Evidence was taken all day Thursday, and then adjournment was taken to Monday. Monday was spent in taking evidence and in hearing arguments.

Wednesday morning when the court came in Justice Hickey gave his charge to the jury, covering more than an hour. The jurors retired to consider the case and were out only about half an hour, returning to give the verdict for the hospital, through Foreman P. Valentine Chappell. The other members of the jury were Nathan Pomerantz, Charles L. Holmes, Walter Lewis, James P. Johnson and Ruel L. Baker.

The trouble between the hospital association and Dr. Dunn began when the association started to prepare for its new building and asked Dr. Dunn to vacate his apartment in the old building on State street, New London, which he refused to do, stating he had a three year lease, to run from Oct. 1, 1912, to Oct. 1, 1915, given him by Dr. C. E. Greaves, president of the association.

Several weeks ago at the direction of the trustees the building was torn out, with Dr. Dunn still a tenant. He secured a temporary injunction preventing the complete demolition of the building and then an order from Judge Case directing the trustees to restore the building.

This was done and then the trustees began this summary process proceeding, aiming to have Dr. Dunn ejected at once. The whole proposition turned on the validity of the lease. The trustees claim that the lease was given by Dr. Greaves without any authorization and therefore was invalid under the law that insists upon such acts by an officer of a corporation being ratified by the corporation.

Other interesting legal moves may be expected. Dr. Dunn is under \$5,000 bonds to indemnify the trustees in case they seek damages from him.

Boarding houses about the state are being rubbed by a well dressed man who poses as a music teacher, carrying a handsome leather music roll. He stops long enough to look over boarders' rooms and then disappears.

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